

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK (BROOKLYN)

UNITED STATES OF AMERICA,

Plaintiff,

v.

AURELIEN MICHEL,

Defendant.

Case No. 1:23-mj-00007-JRC-1

Brooklyn, New York

June 7, 2023

11:25 a.m.

TRANSCRIPT OF HEARING  
BEFORE THE HONORABLE ROBERT M. LEVY  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff:

Dylan Stern, Esq.  
U.S. Attorney's Office  
271 Cadman Plaza East  
Brooklyn, NY 11201

For the Defendant:

Adam K. Brody, Esq.  
Mintz & Gold, LLP  
600 Third Avenue  
25th Floor  
New York, NY 10016

Also Appearing:

Interpreter, French

Clerk:

M.S.

Court Recorder:

Electronic Sound Recording

Transcription Service:

Chris Hwang  
Abba Reporting  
PO Box 223282  
Chantilly, Virginia 20153  
(518) 302-6772

Proceedings recorded by electronic sound recording;  
transcript produced by transcription service.

1 (Call to order at 11:25 a.m.)

2 THE CLERK: So we have a criminal cause for an order  
3 excludable delay. It's 23-MJ-7, United States v. Aurelien  
4 Michel.

5 Counsel, state your appearances please, starting with  
6 the Government?

7 MR. STERN: Good morning, Your Honor Dylan Stern for  
8 the Government.

9 THE COURT: Hold on a second to give a chance.

10 MR. STERN: Your Honor, Dylan Stern for the  
11 Government. And I'm joined at counsel table by Alexander  
12 Mothner (phonetic), an intern.

13 THE INTERPRETER: Hello?

14 THE COURT: Hold on. Could the interpreter hear?

15 THE INTERPRETER: Yes, the interpreter is on the  
16 phone, Your Honor.

17 THE COURT: But could you hear what was just said and  
18 translate it?

19 THE INTERPRETER: I just heard the name of the case  
20 and the attorney was about to talk and then I believe was  
21 interrupted.

22 MR. STERN: Good morning, Your Honor, Dylan Stern for  
23 the Government. And I'm joined at counsel table by Alexander  
24 Mothner, an intern in our office.

25 THE CLERK: That's okay. Okay.

1 THE COURT: (Speaking French, indiscernible.)

2 (Laughter)

3 UNIDENTIFIED SPEAKER: Everybody, *Francais*?

4 THE COURT: (Speaking French) *Oui*.

5 (Laughter)

6 THE COURT: Okay, is there -- there's a lot of noise  
7 in the background. I think it's causing a problem for the  
8 interpreter.

9 THE INTERPRETER: No, Your Honor. I hear what has  
10 been said basically.

11 THE COURT: Okay.

12 MR. BRODY: Good morning, Your Honor, from the law  
13 firm of Mintz & Gold, Adam Brody on behalf of the Defendant.  
14 Adam Brody, B-R-O-D-Y on behalf of the Defendant Aurelien  
15 Michel.

16 THE COURT: So we're here today for in the exclusion  
17 of time; is that correct?

18 MR. BRODY: Yes, Your Honor.

19 THE COURT: Okay, and I have here a form. It appears  
20 that the Defendant has signed it.

21 MR. BRODY: That's correct, Your Honor.

22 THE COURT: And it's excluding time from today, June  
23 7th to July 10th that will be excluded from completing the time  
24 period within which an Information or an Indictment must be  
25 filed. Okay, do you understand what that means?

1 THE DEFENDANT: Yes.

2 THE INTERPRETER: I'm sorry?

3 THE COURT: I was just asking the Defendant do you  
4 understand what it means to exclude time from June 7th to July  
5 10th.

6 THE DEFENDANT: Yes, I do. Yes, Your Honor.

7 THE COURT: Did you discuss it with your lawyer?

8 THE DEFENDANT: Yes.

9 THE COURT: And are you agreeing to exclude this time  
10 voluntarily?

11 THE DEFENDANT: Yes.

12 THE COURT: Has anyone forced you, or threatened you,  
13 or made you any promises to induce you to exclude this time?

14 (Counsel confers with the Defendant)

15 THE DEFENDANT: No.

16 THE COURT: All right, the application is granted.

17 MR. BRODY: Thank you, Your Honor.

18 THE COURT: Is there anything else?

19 MR. STERN: Nothing from the Government, Your Honor.

20 Thank you.

21 MR. BRODY: And not from the Defendant, Your Honor.

22 THE COURT: And could you just tell me your name,  
23 please?

24 THE DEFENDANT: Aurelien Michel.

25 THE INTERPRETER: I'm sorry, Your Honor, you need the

1 name of the interpreter?

2 THE COURT: No, no, no, just the Defendant.

3 THE INTERPRETER: Okay.

4 THE COURT: (Speaking French) *Prenom Michel? Nom*  
5 *Michel?*

6 THE DEFENDANT: (Speaking English) Yes.

7 THE COURT: Okay, all right, I just want to be sure  
8 that the name is correctly in here. Okay.

9 THE CLERK: Thank you, everyone.

10 THE COURT: We're all set.

11 MR. BRODY: Thank you.

12 THE CLERK: Have a good day.

13 (Proceedings concluded at 11:31 a.m.)

14

15

16

17

18

19

20

21

22

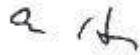
23

24

25

**CERTIFICATE**

I, Chris Hwang, court approved transcriber, certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter.

June 14, 2023

Chris Hwang

Date

Court Reporter